

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:20-CV-00571-GCM**

**NAUTILUS INSURANCE
COMPANY,**

Plaintiff,

v.

**TEC HOLDINGS, INC.,
ROBERT A. WHEELER,**

Defendants.

ORDER

THIS MATTER comes before the Court upon the parties' Certification and Report of F.R.C.P. 26(f) Conference and Discovery Plan and their Supplement / Addendum to Certification and Report of F.R.C.P. 26(f) Conference and Discovery Plan (ECF Doc. 15). The Court finds good cause to enter a scheduling order only regarding the parties' cross-motions for summary judgment on the duty to defend.

IT IS THEREFORE ORDERED that the Parties shall file their respective motions for summary judgment on the duty to defend and briefs in support thereof no later than March 10, 2021. The parties may not extend this deadline by agreement without approval of the court. Pursuant to LCvR 7.1(e), any response briefs shall be filed within fourteen (14) days after service of the motion, and any reply briefs shall be filed within seven (7) days after service of any response brief.

IT IS FURTHER ORDERED that, should the Court find that Nautilus Insurance Company has a duty to defend the underlying action, the Parties will hold an additional conference per Fed. R. Civ. P. 26 to discuss future matters and scheduling deadlines, including those

pertaining to discovery. Upon the filing of a Supplemental Certification and Report of F.R.C.P. 26(f) Conference and Discovery Plan, the Court will enter a scheduling order.

SO ORDERED.

Signed: February 19, 2021

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

